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Suite 2000  
7 Hollywood, California 90028  
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8 Attorneys for Plaintiff  
9 and Cross-Defendant  
CHURCH OF SCIENTOLOGY INTERNATIONAL

**RECEIVED**

**JUN 20 1994**

**HUB LAW OFFICES**

10  
11 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
12 FOR THE COUNTY OF LOS ANGELES

13 CHURCH OF SCIENTOLOGY )  
14 INTERNATIONAL, A California not-for- )  
profit religious corporation; )

15 Plaintiff, )

16 v. )

17 )  
18 GERALD ARMSTRONG; DOES 1 through )  
25, inclusive, )

19 Defendant. )

20 )  
21 AND RELATED CROSS-ACTION. )  
22 )

Case No. BC 052395

) NOTICE OF MOTION AND  
) MOTION BY CROSS-DEFENDANT  
) CHURCH OF SCIENTOLOGY  
) INTERNATIONAL FOR SUMMARY  
) ADJUDICATION OF THE SECOND  
) AND THIRD CAUSES OF ACTION  
) OF THE CROSS-COMPLAINT

) Date: Aug. 3, 1994

) Time: 8:30 a.m.

) Dept: 30

) Trial Date: Nov. 7, 1994

) Disc. Cut-off: Oct. 7, 1994

) Mtn. Cut-off: Oct. 21, 1994

23  
24 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

25 PLEASE TAKE NOTICE that on August 3, 1994 at 8:30 a.m. in Department  
26 30 of the above entitled Court, Cross-Defendant Church of Scientology  
27 International (the "Church") will move for an order adjudicating that the Second  
28

1 and Third Cause of Action of the Verified Amended Cross-Complaint of defendant  
2 and cross-complainant Gerald Armstrong ("Armstrong") (for Abuse of Process and  
3 Breach of Contract) should be adjudicated in favor of the Church as a matter of  
4 law pursuant to Code of Civil Procedure §437c(f).

5 This motion is made on the grounds that (1) there is no provision in the  
6 subject Settlement Agreement which prohibits the Church from doing those acts  
7 which allegedly constitute breach of the Settlement Agreement; (2) most of  
8 Armstrong's claims for abuse of process are barred by the statute of limitations;  
9 and (3) the remaining acts of which Armstrong complains are, as a matter of law,  
10 insufficient to state a claim for abuse of process.

11 This motion is based on this Notice, the accompanying Memorandum of  
12 Points and Authorities, the Church's Separate Statement of Undisputed Facts in  
13 Support of Motion for Summary Adjudication of Issues, the Declaration of Laurie J.  
14 Bartilson, the records and other documents on file in this action, and on all other  
15 matters that may be adduced at the hearing of this Motion.

16 Dated: June 14, 1994

Respectfully submitted,

BOWLES & MOXON

18  
19 BY:   
Laurie J. Bartilson

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21 Andrew H. Wilson  
Linda M. Fong  
WILSON, RYAN, & CAMPILONGO

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23 Attorneys for Cross-  
Defendant  
CHURCH OF SCIENTOLOGY  
INTERNATIONAL

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26  
27 H:\ARMSTRON\new-sj-x.MTN

PROOF OF SERVICE

STATE OF CALIFORNIA            )  
                                  )  ss.  
COUNTY OF LOS ANGELES        )

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen (18) years and not a party to the within action. My business address is 6255 Sunset Boulevard, Suite 2000, Los Angeles, CA 90028.

On June 14, 1994 I served the foregoing document described as NOTICE OF MOTION AND MOTION BY CROSS-DEFENDANT CHURCH OF SCIENTOLOGY INTERNATIONAL FOR SUMMARY ADJUDICATION OF THE SECOND AND THIRD CAUSES OF ACTION OF THE CROSS-COMPLAINT on interested parties in this action,

by placing the true copies thereof in sealed envelopes as stated on the attached mailing list;

by placing  the original  true copies thereof in sealed envelopes addressed as follows:

PAUL MORANTZ  
P.O. Box 511  
Pacific Palisades, CA 90272

FORD GREENE  
HUB Law Offices  
711 Sir Francis Drake Blvd.  
San Anselmo, CA 94960-1949

BY MAIL

\*I deposited such envelope in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid.

As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more

than one day after date of deposit for mailing an affidavit.

Executed on June 14, 1994 at Los Angeles, California.

[ ] \*\*(BY PERSONAL SERVICE) I delivered such envelopes by hand to the offices of the addressees.

Executed on \_\_\_\_\_, at Los Angeles, California.

[X] (State) I declare under penalty of the laws of the State of California that the above is true and correct.

[ ] (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

\_\_\_\_\_  
Print or Type Name

\_\_\_\_\_  
Signature

\* (By Mail, signature must be of person depositing envelope in mail slot, box or bag)

\*\* (For personal service signature must be that of messenger)